

111TH CONGRESS  
2D SESSION

# H. R. 6469

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IN THE SENATE OF THE UNITED STATES

DECEMBER 2, 2010

Received; read twice and referred to the Committee on Agriculture, Nutrition,  
and Forestry

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## AN ACT

To amend section 17 of the Richard B. Russell National School Lunch Act to include a condition of receipt of funds under the child and adult care food program.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CONDITION OF RECEIPT OF FUNDS UNDER THE**  
2 **CHILD AND ADULT CARE FOOD PROGRAM.**

3 Section 17 of the Richard B. Russell National School  
4 Lunch Act (42 U.S.C. 1766) is amended by adding at the  
5 end the following:

6 “(u) INELIGIBILITY OF INSTITUTIONS.—An institu-  
7 tion shall be ineligible for funds under this section if such  
8 institution employs a child care staff member who—

9 “(1) refuses to consent to a criminal back-  
10 ground check that includes—

11 “(A) a search of the State criminal reg-  
12 istry or repository in the State where the child  
13 care staff member resides and each State where  
14 such staff member previously resided;

15 “(B) a search of State-based child abuse  
16 and neglect registries and databases in the  
17 State where the child care staff member resides  
18 and each State where such staff member pre-  
19 viously resided;

20 “(C) a search of the National Crime Infor-  
21 mation Center;

22 “(D) a Federal Bureau of Investigation  
23 fingerprint check using the Integrated Auto-  
24 mated Fingerprint Identification System; and

25 “(E) a search of the National Sex Of-  
26 fender Registry established under the Adam

1 Walsh Child Protection and Safety Act of 2006  
2 (42 U.S.C. 16901 et seq.);

3 “(2) makes a false statement in connection with  
4 such criminal background check;

5 “(3) is registered or is required to be registered  
6 on a State sex offender registry or the National Sex  
7 Offender Registry established under the Adam  
8 Walsh Child Protection and Safety Act of 2006 (42  
9 U.S.C. 16901 et seq.); or

10 “(4) has been convicted of a felony consisting  
11 of—

12 “(A) homicide;

13 “(B) child abuse or neglect;

14 “(C) a crime against children, including  
15 child pornography;

16 “(D) spousal abuse;

17 “(E) a crime involving rape or sexual as-  
18 sault;

19 “(F) kidnapping;

20 “(G) arson; or

1                   “(H) physical assault, battery, or a drug-  
2                   related offense, committed within the past 5  
3                   years.”.

Passed the House of Representatives December 2,  
2010.

Attest: LORRAINE C. MILLER,  
*Clerk.*